

Claims 1-2, 5-11, 13 and 15 are rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Pat. No. 5,438,355, *Palmer*. Claims 3 and 12 are rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over *Palmer* as applied to Claims 2 and 11 respectively and further in view of U.S. Pat. No. 5, 579,124, *Aijala et al.* Claims 4 and 14 are rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over *Palmer* as applied to Claims 1 and 10 respectively and further in view of U.S. Pat. No. 5,947,746, *Tsai*.

Regarding Claims 1 and 10 as amended, their rejection is respectfully traversed as follows. *Palmer* does not disclose a system or method for launching an advertisement on a computer; rather, *Palmer* discloses a system which encodes a program identification code (PIC) in the vertical interval of a television or video signal. Upon a viewer response signal, the PIC is transmitted to a central exchange together with a console ID code (CIC). The central exchange transmits program data corresponding to the PIC code to the viewer identified by the console identification code (CIC), via fax or cable, to fulfill the viewer's request. The computer (42) in *Palmer* does not disclose an "*audio input interface*" as required by Applicants' Claim 1. Further, *Palmer* does not disclose an "*audio output acoustically coupled from a receiver of a broadcast source to said audio input interface for providing an audio signal having encoded therein an advertisement.*" Moreover, *Palmer* does not disclose "a [computer] program operable on said computer and responsive to said audio signal . . . for reproducing said advertisement on said display."

The Applicants respectfully point out that the operative word in the preceding paragraph is the word "disclosed." The features italicized in the previous paragraph, none of which are disclosed in *Palmer*, are all absent from *Palmer*. In other words, every structural element of Applicants' base Claims 1 and 10 is not disclosed in *Palmer*. The *Palmer* reference does not anticipate because it is different from Applicant's invention; *Palmer* is different because it functions differently and serves a different

purpose. *Palmer* is incapable of performing Applicants' invention because it lacks the necessary structure. Therefore, *Palmer* is not capable of "reproducing said advertisement" upon said display. Since the cited reference fails to disclose all elements of Applicants' Claim 1, the Applicants respectfully request the withdrawal of this rejection and the allowance of Claim 1 as amended.

Claim 10, which recites a method for launching an advertisement on a computer using the structure recited in Claim 1, is likewise distinguishable from the cited reference for the same reasons. Applicants respectfully request the withdrawal of this rejection and the allowance of Claim 10 as amended.

Regarding Claims 2, 5-9 (dependent on Claim 1) and 11, 13 and 15 (dependent on Claim 10) also rejected under *Palmer*, these rejections are moot because all of the dependent claims depend directly or ultimately from the respective base claims, and thus contain the limitations of the respective base claims already shown hereinbefore to be patentably distinct from the cited art of record. Withdrawal of these rejections and full allowance of Claims 1-2, 5-11, 13 and 15 is respectfully requested.

Regarding Claim 3, rejected as being unpatentable over *Palmer* as applied to Claim 2 in view of *Aijala et al.*, this rejection is respectfully traversed as follows. As shown hereinabove, *Palmer* is deficient in all the elements of the Applicants' base Claim 1 and of dependent Claim 2 which contains the limitations of Claim 1. While it may be correct that *Aijala et al.* discloses an audio circuit coupled to a microphone, an output and an A/D converter coupled to said output, which are limitations of Claim 3, this disclosure is insufficient to cure the deficiencies of *Palmer* noted hereinabove. Applicants respectfully request the withdrawal of this rejection and the allowance of Claim 3.

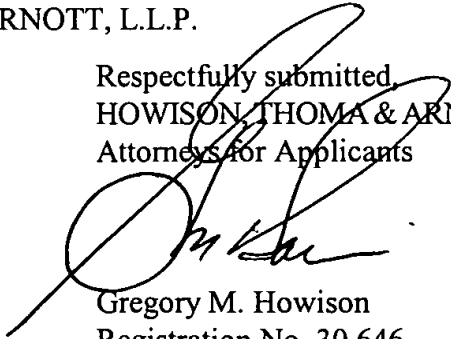
Regarding Claim 4, rejected as being unpatentable over *Palmer* as applied to Claim 1 in view of *Tsai*, this rejection is respectfully traversed as follows. As shown

hereinabove, *Palmer* is deficient in all of the elements of Applicants' base Claim 1. While it may be correct that *Tsai*, according to the cited passages, discloses a system that can synthesize a musical sound and mix it with a vocal sound, the cited passages do not disclose "an advertisement coupled with a sound effect selected from the group consisting of clapping, whistling, audible tones, subaudible tones, superaudible tones or a combination thereof" as recited in the Applicants' Claim 4 as amended. Thus, not only does *Tsai* fail to disclose the recitation of Claim 4, that which it does disclose does not cure the deficiencies of *Palmer* in Claim 1 as shown hereinabove. Therefore, *Tsai* in combination with *Palmer* fails to render Claim 4 as amended unpatentable and Applicants respectfully request this rejection be withdrawn.

Regarding Claims 12 and 14, which contain the same limitations as Claim 3 and Claim 4 as amended, respectively, this rejection is respectfully traversed for the reasons presented hereinabove regarding Claims 3 and 4 respectively. Applicants respectfully request the withdrawal of these rejections and the allowance of Claim 12 and Claim 14 as amended.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,736 of HOWISON, THOMA & ARNOTT, L.L.P.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

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1. (Twice Amended) A system for launching an advertisement on a computer, comprising:

a computer having an audio input interface and a display;

C1 5 an audio output acoustically coupled from a receiver of a broadcast source to said audio input interface for providing an audio signal having encoded therein [an] advertisement information; and

10 a computer program operable on said computer and responsive to said audio signal output from said receiver of said broadcast source [for reproducing said advertisement upon said display] to allow said computer program to be controlled by said advertisement information.

10. (Twice Amended) A method for launching an advertisement on a computer comprising the steps of:

C2 5 providing a computer having an audio input interface responsive to an audio signal output from a receiver of a broadcast source and a display coupled to the computer;

receiving the audio signal output having advertising information encoded therein at the audio input interface and decoding the advertising information for processing by the computer; and

10 initiating execution of a computer program on the computer responsive to the audio signal having the encoded advertising information.